

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Emerald Group Holdings LLC

doing business as

Vitalcap Fund

-against-

24-cv-05640-ARL

Complete Service Heat & Air LLC

doing business as

Complete Service Heat & Air, et al

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NOTICE DESIGNATING CASE TO ARBITRATION

This case has been designated to participate in the non-binding Court-Annexed Arbitration Program pursuant to Local Civil Rule 83.7 which requires automatic referrals to arbitration in cases where monetary damages do not exceed \$150,000, excluding Social Security cases, tax matters, prisoners' Civil Rights cases and any action based on an alleged violation of a right secured by the Constitution of the United States or if jurisdiction is based in whole or in part on Title 28 U.S.C. § 1343.

Cases in Court-Annexed Arbitration are decided by court appointed arbitrators chosen by counsel to hear the case.

LOCAL RULES: ARBITRATION

The Local Rules governing Court Annexed Arbitration are found here:

https://img.nyed.uscourts.gov/files/local_rules/localrules.pdf

Additional arbitration instructions for parties and counsel can be found here:

<https://www.nyed.uscourts.gov/adr-forms>

ARBITRATION HEARING

The arbitration hearing date is scheduled by the Court after the Answer is filed. The hearing will occur no more than one hundred and twenty (120) days after the Answer is filed. The parties will have ninety (90) days to complete discovery unless the District Court Judge or Magistrate Judge orders a shorter or longer period for discovery.

Requests to change the hearing date must be filed electronically (ECF) and copied

to the ADR Coordinator. Telephone calls to request adjournment of an Arbitration hearing will not be considered.

THE ARBITRATION AWARD

After the hearing, the arbitrator will submit the Arbitration Award to the ADR Coordinator. The Arbitration Award will then be emailed to counsel at the EDNY registered email address for the attorneys on the case. The Arbitration Award is a confidential document and will not be filed on the Court docket.

The Arbitration Award is non-binding, and any party may demand, in writing, a trial de novo in the District Court within thirty (30) days after the award is entered on the docket. The trial de novo must be filed using the ECF event Request for Trial De Novo. If a trial de novo is not filed within thirty (30) days of the Arbitration Award being entered on the docket; the award will become a final judgment of the Court.

In the event a party fails to participate in the arbitration process in a meaningful manner, or comply with the rules, herein, the Court may impose appropriate sanctions, including, but not limited to, the striking of any demand for a trial de novo filed by that party.

PRO SE LITIGANTS

If you are representing yourself and your case is filed in the Brooklyn Courthouse you may be eligible for free legal assistance from the Pro Se Legal Assistance Project operated by the New York City Bar Association. To schedule an appointment call: 212-382-4729 or visit their website at:
<https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project/>

If you are representing yourself and your case is filed in the Central Islip Courthouse you may be eligible for free legal assistance from the Pro Se Legal Assistance Program operated by Hofstra Law School. To schedule an appointment call: 613-297-2575 or e-mail: pslap@hofstra.edu You may visit their website at:
<https://proseprogram.law.hofstra.edu/>

If you are a pro se litigant and wish to receive electronic notification of court issued filings, please follow the instructions available here:

<https://img.nyed.uscourts.gov/files/forms/ProSeConsElecSvc-Instructions.pdf>

NOTICE OF REMOTE ARBITRATION HEARINGS

EDNY arbitrations may be conducted remotely. The Arbitrator will provide the video conferencing platform for the arbitration. Parties requesting an in-person arbitration hearing must contact the ADR Coordinator promptly after receiving the referral into the arbitration program.

Please review the Remote Arbitration participant guidelines for further information about remote EDNY arbitration proceedings:

<https://www.nyed.uscourts.gov/alternative-dispute-resolution>

Dated: 8-28-24

Rita Credle
ADR Coordinator
U.S. District Court, EDNY
225 Cadman Plaza East
Brooklyn, NY 11201
Email: Rita_Credle@nyed.uscourts.gov
Tel: 718-613-2326